

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

MKS INSTRUMENTS INC. and APPLIED	)	
SCIENCE AND TECHNOLOGY, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	United States District Court
	)	For The District of Delaware
	)	C.A. No. 03-469 (JJF)
ADVANCED ENERGY INDUSTRIES, INC.,	)	
	)	
Defendant.	)	

MOTION PURSUANT TO LOCAL RULE 83.5.3(b) TO ADMIT  
JAMES P. BROGAN *PRO HAC VICE*

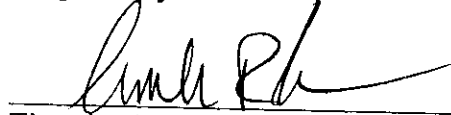
As a member of the bar of this Court, I hereby move this Court pursuant to Local Rule 83.5.3(b) for an order granting James P. Brogan leave to practice in this Court and file an appearance for purposes of the motion to compel filed in this action in the District of Massachusetts.

Accompanying this motion as Exhibit A is the Affidavit of James P. Brogan dated March 19, 2004 in which he attests that he is a member in good standing in every jurisdiction where he has been admitted, that there are no disciplinary proceedings pending against him in any jurisdiction and that he is familiar with the Local Rules of this Court.

Accordingly, I request the Court grant this motion and admit James P. Brogan *pro hac vice*.

Dated: Boston, MA  
March 26, 2004

Respectfully Submitted,



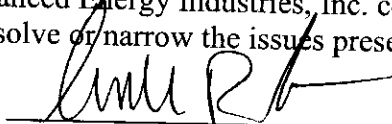
Timothy C. Blank (BBO# 548670)  
Amber R. Anderson (BBO# 647566)  
DECHERT LLP  
200 Clarendon St., 27<sup>th</sup> Floor  
Boston, Massachusetts 02116  
(617) 728-7100

OF COUNSEL:

Stephen P. Swinton  
James P. Brogan  
Craig A. Neugeboren  
Wayne O. Stacy  
COOLEY GODWARD, L.L.P.  
380 Interlocken Crescent, Suite 900  
Broomfield, CO 80021-8023  
(720) 566-4000

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that counsel for Advanced Energy Industries, Inc. conferred with opposing counsel in a good faith effort to resolve or narrow the issues presented in this motion and they do not object to this motion.



Amber R. Anderson

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY THAT A TRUE COPY OF THE ABOVE DOCUMENT WAS  
SERVED (UPON) ATTORNEYS OF RECORD FOR EACH OTHER PARTY  
BY MAIL (E) On 3/24/04

